

FORM PTO-1390

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY DOCKET NUMBER  
SCHN-0033TRANSMITTAL LETTER TO THE UNITED STATES  
DESIGNATED/ELECTED OFFICE (DO/EO/US)  
CONCERNING A FILING UNDER 35 U.S.C. 371U.S. APPLICATION NO. (if known see 37 CFR 1.5)  
**10/510363**INTERNATIONAL APPLICATION NO.  
PCT/US03/10302INTERNATIONAL FILING DATE  
04 April 2003 (04.04.2003)PRIORITY DATE CLAIMED  
05 April 2002 (05.04.2002)TITLE OF INVENTION **METHODS OF IDENTIFYING COMPOUNDS THAT MODULATE A DNA REPAIR  
PATHWAY AND/OR RETROVIRAL INFECTIVITY, THE COMPOUNDS, AND USES THEREOF**APPLICANT(S) FOR DO/EO/US **Richard A. FISHEL and Kristine E. YODER**

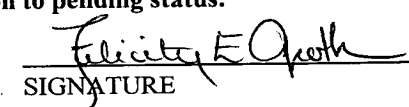
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☒ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9), and (21) indicated below.
4. ☒ The US has been elected (Article 31).
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ has been communicated by the International Bureau.
  - c. ☒ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
  - a. ☐ is attached hereto.
  - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
  - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
  - b. ☐ have been communicated by the International Bureau.
  - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
  - d. ☒ have not been made and will not be made.
8. ☐ An English translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) 35 U.S.C. 371(c)(4). (**A copy of the executed Inventorship Declaration filed in the PCT application**)
10. ☐ An English translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

**Items 11. to 20. below concern other document(s) or information included:**

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☒ A preliminary amendment.
14. ☐ An Application Data Sheet under 37 CFR 1.76.
15. ☐ A substitute specification.
16. ☐ A power of attorney and/or change of address letter.
17. ☒ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.182-1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☒ Other items or information:
  - Statement to Support Filing and Submission of Sequence Listing;
  - Sequence Listing in written format (19 sh.);
  - a copy of the International Search Report (6 sh.);
  - return postcard.

**EL 975571346US**EXPRESS MAIL Mailing Label No. **EL 975571346 US**  
Date of Deposit: **05 October 2004**

U.S. APPLICATION NO. <b>10/510363</b>		INTERNATIONAL APPLICATION NO. PCT/US03/10302		ATTORNEY DOCKET NUMBER SCHN-0033		
21. <input checked="" type="checkbox"/> The following fees are submitted: <b>Basic National Fee (37 CFR 1.492(a)(1) - (5)):</b> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO <span style="float: right;"><b>\$1,080.00</b></span>  International preliminary examination fee (37 CFR 1.482 not paid to USPTO but International Search Report has been prepared by the EPO or JPO <span style="float: right;"><b>\$920.00</b></span>  International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO <span style="float: right;"><b>\$770.00</b></span>  International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) <span style="float: right;"><b>\$730.00</b></span>  International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) <span style="float: right;"><b>\$100.00</b></span>  <div style="text-align: right;"><b>ENTER APPROPRIATE BASIC FEE AMOUNT =</b></div>				CALCULATIONS      PTO USE ONLY		
				\$ 730.00		
				\$		
				\$		
				\$		
Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest claimed priority date (37 CFR 1.492(e)).				\$		
Claims	Number Filed	Number Extra	Rate			
Total claims	132- 20 =	112	X \$18.00	<b>\$2,016.00</b>		
Independent Claims	13- 3 =	10	x \$86.00	<b>\$ 860.00</b>		
Multiple dependent claims(s) (if applicable)			+ \$290.00	\$		
<b>TOTAL OF ABOVE CALCULATIONS =</b>				<b>\$3,606.00</b>		
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above are reduced by 1/2.				\$		
<b>SUBTOTAL =</b>				<b>\$1,803.00</b>		
Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				\$		
<b>TOTAL NATIONAL FEE =</b>				<b>\$1,803.00</b>		
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property				\$		
<b>TOTAL FEES ENCLOSED =</b>				<b>\$1,803.00</b>		
				<b>Amount to be:</b>	\$	
				<b>refunded</b>		
				<b>charged</b>	\$	
a. <input checked="" type="checkbox"/> A check in the amount of \$1,803.00 to cover the above fee is enclosed.  b. <input type="checkbox"/> Please charge my Deposit Account No. 23-3050 in the amount of \$      to cover the above fees. A duplicate copy of this sheet is enclosed.  c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 23-3050. A duplicate copy of this sheet is enclosed.						
<b>NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR          1.137(a) or (b)) must be filed and granted to restore the application to pending status.</b>						
SEND ALL CORRESPONDENCE TO:  <b>Suzanne E. Miller</b> Woodcock Washburn LLP One Liberty Place - 46th Floor Philadelphia, PA 19103 (215) 568-3100						
				 SIGNATURE		
				<b>Felicity E. Groth</b> NAME		
				<b>47,042</b> REGISTRATION NUMBER		